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NON-PUBLIC ☐

SUB-TYPE:

FR CITE: 76 FR 26685

FR CITE DATE: 05/09/2011

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-971

EFFECTIVE DATE: 05/09/2011

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: COUNTERVAILING DUTY ALIGNMENT IN THE INVESTIGATION OF MULTILAYERED WOOD FLOORING FROM THE PEOPLE'S REPUBLIC OF CHINA (C-570-971)

1. ON 05/09/2011, COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS COUNTERVAILING DUTY NOTICE EXTENDING THE DUE DATE OF ITS FINAL COUNTERVAILING DUTY DETERMINATION IN THE INVESTIGATION OF MULTILAYERED WOOD FLOORING FROM THE PEOPLE'S REPUBLIC OF CHINA (C-570-971) FROM 06/06/2011 UNTIL NO LATER THAN 08/02/2011, THEREBY ALIGNING IT WITH THE DUE DATE FOR THE FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF MULTILAYERED WOOD FLOORING FROM THE PEOPLE'S REPUBLIC OF CHINA (76 FR 26685).

2. MULTILAYERED WOOD FLOORING IS COMPOSED OF AN ASSEMBLY OF TWO OR MORE LAYERS OR PLIES OF WOOD VENEER(S) IN COMBINATION WITH A CORE. THE SEVERAL LAYERS, ALONG WITH THE CORE, ARE GLUED OR OTHERWISE BONDED TOGETHER TO FORM A FINAL ASSEMBLED PRODUCT. MULTILAYERED WOOD FLOORING IS OFTEN REFERRED TO BY OTHER TERMS, E.G., "ENGINEERED WOOD FLOORING" OR "PLYWOOD FLOORING." REGARDLESS OF THE PARTICULAR TERMINOLOGY, ALL PRODUCTS THAT MEET THE DESCRIPTION SET FORTH HEREIN ARE INTENDED FOR INCLUSION WITHIN THE DEFINITION OF SUBJECT MERCHANDISE.

ALL MULTILAYERED WOOD FLOORING IS INCLUDED WITHIN THE DEFINITION OF SUBJECT MERCHANDISE, WITHOUT REGARD TO: DIMENSION (OVERALL THICKNESS, THICKNESS OF FACE PLY, THICKNESS OF BACK PLY, THICKNESS OF CORE, AND THICKNESS OF INNER PLIES; WIDTH; AND LENGTH); WOOD SPECIES USED FOR THE FACE, BACK AND INNER VENEERS; CORE COMPOSITION; AND FACE GRADE. MULTILAYERED WOOD FLOORING INCLUDED WITHIN THE DEFINITION OF SUBJECT MERCHANDISE MAY BE UNFINISHED (I.E., WITHOUT A FINALLY FINISHED SURFACE TO PROTECT THE FACE VENEER FROM WEAR AND TEAR) OR "PREFINISHED" (I.E., A COATING APPLIED TO THE FACE VENEER, INCLUDING, BUT NOT EXCLUSIVELY, OIL OR OIL-MODIFIED OR WATER-BASED POLYURETHANES, ULTRA-VIOLET LIGHT CURED POLYURETHANES, WAX, EPOXY-ESTER FINISHES, MOISTURE-CURED URETHANES AND

ACID-CURING FORMALDEHYDE FINISHES.) THE VENEERS MAY BE ALSO SOAKED IN AN ACRYLIC-IMPREGNATED FINISH. ALL MULTILAYERED WOOD FLOORING IS INCLUDED WITHIN THE DEFINITION OF SUBJECT MERCHANDISE REGARDLESS OF WHETHER THE FACE (OR BACK) OF THE PRODUCT IS SMOOTH, WIRE BRUSHED, DISTRESSED BY ANY METHOD OR MULTIPLE METHODS, OR HAND-SCRAPED. IN ADDITION, ALL MULTILAYERED WOOD FLOORING IS INCLUDED WITHIN THE DEFINITION OF SUBJECT MERCHANDISE REGARDLESS OF WHETHER OR NOT IT IS MANUFACTURED WITH ANY INTERLOCKING OR CONNECTING MECHANISM (FOR EXAMPLE, TONGUE-AND-GROOVE CONSTRUCTION OR LOCKING JOINTS). ALL MULTILAYERED WOOD FLOORING IS INCLUDED WITHIN THE DEFINITION OF THE SUBJECT MERCHANDISE REGARDLESS OF WHETHER THE PRODUCT MEETS A PARTICULAR INDUSTRY OR SIMILAR STANDARD.

THE CORE OF MULTILAYERED WOOD FLOORING MAY BE COMPOSED OF A RANGE OF MATERIALS, INCLUDING BUT NOT LIMITED TO HARDWOOD OR SOFTWOOD VENEER, PARTICLEBOARD, MEDIUM-DENSITY FIBERBOARD (MDF), HIGH-DENSITY FIBERBOARD ("HDF"), STONE AND/OR PLASTIC COMPOSITE, OR STRIPS OF LUMBER PLACED EDGE-TO-EDGE.

MULTILAYERED WOOD FLOORING PRODUCTS GENERALLY, BUT NOT EXCLUSIVELY, MAY BE IN THE FORM OF A STRIP, PLANK, OR OTHER GEOMETRICAL PATTERNS (E.G., CIRCULAR, HEXAGONAL). ALL MULTILAYERED WOOD FLOORING PRODUCTS ARE INCLUDED WITHIN THIS DEFINITION REGARDLESS OF THE ACTUAL OR NOMINAL DIMENSIONS OR FORM OF THE PRODUCT.

SPECIFICALLY EXCLUDED FROM THE SCOPE ARE CORK FLOORING AND BAMBOO FLOORING, REGARDLESS OF WHETHER ANY OF THE SUB-SURFACE LAYERS OF EITHER FLOORING ARE MADE FROM WOOD. ALSO EXCLUDED IS LAMINATE FLOORING. LAMINATE FLOORING CONSISTS OF A TOP WEAR LAYER SHEET NOT MADE OF WOOD, A DECORATIVE PAPER LAYER, A CORE-LAYER OF HIGH-DENSITY FIBERBOARD, AND A STABILIZING BOTTOM LAYER.

IMPORTS OF THE SUBJECT MERCHANDISE ARE PROVIDED FOR UNDER THE FOLLOWING SUBHEADINGS OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"): 4412.31.0520; 4412.31.0540; 4412.31.0560; 4412.31.2510; 4412.31.2520; 4412.31.4040; 4412.31.4050; 4412.31.4060; 4412.31.4070; 4412.31.5125; 4412.31.5135; 4412.31.5155; 4412.31.5165; 4412.31.3175; 4412.31.6000; 4412.31.9100; 4412.32.0520; 4412.32.0540; 4412.32.0560; 4412.32.2510; 4412.32.2520; 4412.32.3125; 4412.32.3135; 4412.32.3155; 4412.32.3165; 4412.32.3175; 4412.32.3185; 4412.32.5600; 4412.39.1000;

4412.39.3000; 4412.39.4011; 4412.39.4012; 4412.39.4019; 4412.39.4031; 4412.39.4032; 4412.39.4039; 4412.39.4051; 4412.39.4052; 4412.39.4059; 4412.39.4061; 4412.39.4062; 4412.39.4069; 4412.39.5010; 4412.39.5030; 4412.39.5050; 4412.94.1030; 4412.94.1050; 4412.94.3105; 4412.94.3111; 4412.94.3121; 4412.94.3131; 4412.94.3141; 4412.94.3160; 4412.94.3171; 4412.94.4100; 4412.94.5100; 4412.94.6000; 4412.94.7000; 4412.94.8000; 4412.94.9000; 4412.94.9500; 4412.99.0600; 4412.99.1020; 4412.99.1030; 4412.99.1040; 4412.99.3110; 4412.99.3120; 4412.99.3130; 4412.99.3140; 4412.99.3150; 4412.99.3160; 4412.99.3170; 4412.99.4100; 4412.99.5100; 4412.99.5710; 4412.99.6000; 4412.99.7000; 4412.99.8000; 4412.99.9000; 4412.99.9500; 4418.71.2000; 4418.71.9000; 4418.72.2000; AND 4418.72.9500.

IN ADDITION, IMPORTS OF SUBJECT MERCHANDISE MAY ENTER THE U.S. UNDER THE FOLLOWING HTSUS SUBHEADINGS: 4409.10.0500; 4409.10.2000; 4409.29.0515; 4409.29.0525; 4409.29.0535; 4409.29.0545; 4409.29.0555; 4409.29.0565; 4409.29.2530; 4409.29.2550; 4409.29.2560; 4418.71.1000; 4418.79.0000; AND 4418.90.4605.

WHILE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SUBJECT MERCHANDISE IS DISPOSITIVE.

(1) A "VENEER" IS A THIN SLICE OF WOOD, ROTARY CUT, SLICED OR SAWED FROM A LOG, BOLT OR FLITCH. VENEER IS REFERRED TO AS A PLY WHEN ASSEMBLED.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-570-971.

4. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O1:MJ).

5. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party